

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

AIA ENGINEERING LIMITED,)
)
 Plaintiff/Counterclaim Defendant,)
)
 v.)
)
 MAGOTTEAUX INTERNATIONAL S/A)
 and MAGATTEAUX, INC.,)
)
 Defendants/Counterclaim Plaintiffs)
)
)
)
 MAGOTTEAUX INTERNATIONAL S/A)
 and MAGOTTEAUX, INC.)
)
 Third Party Plaintiffs,)
)
 v.)
)
 VEGA INDUSTRIES, LTD. INC.,)
)
 Third Party Defendant.)

VERDICT

I. INFRINGEMENT BY AIA/VEGA

A. Has Magatteaux established by a preponderance of the evidence that AIA/Vega infringed any of the following claims of Magotteaux's '998 patent?

Claim 1 - Yes No _____
Claim 12 - Yes No _____
Claim 13 - Yes No _____
Claim 16 - Yes No _____
Claim 17 - Yes No _____
Claim 18 - Yes No _____
Claim 20 - Yes No _____
Claim 21 - Yes No _____

II. INVALIDITY DEFENSES

A. Has AIA/Vega established by clear and convincing evidence that any of the following claims of Magotteaux's '998 patent is invalid as obvious?

Claim 1 - Yes No
Claim 12 - Yes No

B. Has AIA/Vega established by clear and convincing evidence that any of the following claims of Magotteaux's '998 patent is invalid as a result of a prior public use?

Claim 1 - Yes No
Claim 12 - Yes No

III. DAMAGES

If you have found infringement by AIA/Vega of any one or more claims of the '998 patent, and if you have found that AIA/Vega failed to prove that each of such infringed claims is invalid, then state the amount of damages, if any, you find that AIA/Vega should pay to Magotteaux for AIA/Vega's infringement:

\$ 1,668,028 ⁰⁰

IV. WILLFULNESS

If you have found infringement of any of the claims of Magotteaux's patent, has Magotteaux established by clear and convincing evidence that such infringement was willful?

Yes No

If you find that any infringement was willful, please give a summary of your reasons for your findings.

GIVEN THE EMAILS BETWEEN CHRIS CARR (TREIBACHER) AND DR. BHIDE REGARDING THE PURCHASE OF GRAINS AND THEIR CLASSIFICATIONS. ADDITIONALLY, DR. BHIDE'S EMAIL SUGGESTED THAT HE WANTED TO "COMPLETELY SUPPRESS MY IDENTITY".

WE BELIEVE AIA WAS FULLY AWARE OF BOTH THE TECHNOLOGY AND THE PATENTS IN PLACE, BUT CONTINUED TO PURSUE AND ENGAGE IN PRODUCING/SOLVING THE SINTERCAST PRODUCTS. XWINN

If you find that any infringement was not willful, please give a summary of your reasons for your findings.

Foreperson

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